

Attorney Docket No. 16238-000700

## DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## SYSTEM AND METHOD FOR ELECTROSURGICAL CUTTING AND ABLATION.

the specification of which    is attached hereto or X was filed on November 22, 1995 as Application No. 08/561,938 and was amended on                      (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
	PCT/US94/05168	May 10, 1994	Yes <u>X</u> No <u>  </u>

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
n/a	

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/485,219	June 7, 1995	<u>  </u> Patented <u>X</u> Pending <u>  </u> Abandoned
08/059,681	May 10, 1993	<u>  </u> Patented <u>  </u> Pending <u>X</u> Abandoned
07/958,977 (now 5,366,443)	October 9, 1992	<u>X</u> Patented <u>  </u> Pending <u>  </u> Abandoned
07/817,575	January 7, 1992	<u>  </u> Patented <u>  </u> Pending <u>X</u> Abandoned

Send Correspondence to:  
John T. Raffle  
TOWNSEND and TOWNSEND and CREW  
Stewart Street Tower  
One Market Plaza, 20th Floor  
San Francisco, CA 94105

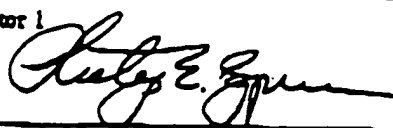
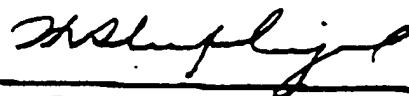
Direct Telephone Calls to:  
(Name, Reg. No., Telephone No.)

Name: John T. Raffle  
Reg. No. 38,585  
Telephone: (415) 326-2400

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Full Name of Inventor 1	Last Name EGGERS	First Name PHILIP	Middle Name or Initial E.	
Residence & Citizenship	City Dublin	State/Foreign Country Ohio	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 5366 Reserve Drive	City Dublin	State/Country Ohio	Zip Code 43017
Full Name of Inventor 1	Last Name THAPLIYAL	First Name HIRA	Middle Name or Initial V.	
Residence & Citizenship	City Los Altos	State/Foreign Country California	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 1192 Velti Lane	City Los Altos	State/Country California	Zip Code 94024

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 	Signature of Inventor 2 
Philip E. Eggers	Hira V. Thapliyal
Date: April 26, 1996	Date: Apr. 25, 1996

USPTO Form 600

04/26/96 14:58 EGGERS & ASSOCIATES, INC. - 14153262 NO. 615 013

RECEIPT ACTING DIV

RECORDATION  
PAT

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ocket No. 16238-000

PARTMENT OF COMMERCE  
ent and Trademark Off

To the Honorable Asst. Commissioner for Patents. Please re

1. Name of conveying party(ies):

Philip Eggers and Hira Thapliyal

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: ^C

Execution Date: July 10, 1996

2. Name and address of receiving party(ies):

Name: Arthrocare Corporation

Internal Address:

Street Address: 595 North Pastoria Avenue

City: Sunnyvale State: Ca ZIP: 94086

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is: November 22, 1996

A. Patent Application No.(s) 08/561,958

B. Patent No.(s)

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John T. Raffle  
TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 326-2400

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):..... \$ 40.00

☐ Enclosed ☒ Charge Fees to Deposit Account☒ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account

8. Deposit account number: 20-1430

WF04133 08/12/96 08561958

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John T. Raffle

Name of Person Signing

Signature

July 17, 1996

Date

Atty. Reg. No. 38,585

Total number of pages including cover sheet, attachments, and document: 3

10. Change Correspondence Address to that of Part 5? ☐ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

Mail documents to be recorded with required cover sheet information to:

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Asst. Commissioner for Patents  
Box Assignments  
Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Philip E. Eggers of 5366 Reserve Drive, Dublin, Ohio 43017, and Hira V. Thapliyal of 1192 Volti Lane, Los Altos, California 94024, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below identified application for United States Letters Patent:

Title of the Invention: **SYSTEM AND METHOD FOR ELECTROSURGICAL CUTTING AND ABLATION**

Date(s) of execution of Declaration: \_\_\_\_\_

Filing date: November 22, 1995 Serial No.: 08/561,958; and

WHEREAS, ARTHROCARE CORPORATION a Delaware corporation, located at 595 North Pastoria Avenue, Sunnyvale, Ca 94086, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and application and in any Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Date: July 12, 1996

Philip E. Eggers  
Philip E. Eggers

Date: 7-10-96

Hira V. Thapliyal  
Hira V. Thapliyal

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POWER OF ATTORNEY BY ASSIGNEE

Arthrocare Corporation is the Assignee of the invention entitled: SYSTEM AND METHOD FOR ELECTROSURGICAL CUTTING AND ABLATION, the specification of which     is attached hereto or X was filed on November 22, 1995 as Application Serial No. 08/561,958.

The Assignment accompanying this Power of Attorney has been reviewed by the undersigned. The undersigned certifies that to the best of the undersigned's knowledge and belief, title is in the Assignee. The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John T. Raffle, Reg. No. 38,585  
Jim Heslin, Reg. No. 29,541  
Vern Norviel, Reg. No. 32,483

Send Correspondence to:

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(Name, reg. no., tele. no.)

John T. Raffle  
Reg. No. 38,585  
(415) 543-9600

Arthrocare Corporation

Date: Apr. 25, 1996

By: H. V. Thapliyal

(Signature)

Name: Hira V. Thapliyal  
Title: President and CEO

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668T50-444FE60